

EXHIBIT A

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF KINGS

NAFIZ CHOUDHURY,

Plaintiff,

S U M M O N S

Index No. **032131** / 2019

-against-

Plaintiff's Residence Address:

RADIUS GLOBAL SOLUTIONS,

280 Cleveland Street

Brooklyn, NY 11208

Defendant,

-----X

Defendant's address:

The basis of this venue is

50 West Skippack Pike

Plaintiff's address

~~Amherst, PA~~ 19022

Pembler, PA

YOU ARE HEREBY SUMMONED to appear in the Civil Court of the City of New York, County of Kings, at the office of the Clerk of said Court at 141 Livingston Street, Brooklyn, New York 11201, within the time provided by law as noted below and to file your Answer to the annexed Complaint with the Clerk; upon your failure to Answer, judgment will be taken against you for the sum of \$15,000.00 with interest from 3/14/19 together with the costs of this action.

FILED
CLERKS OFFICE
OCT 28 2019
CIVIL COURT
KINGS COUNTY

Dated: October 23, 2019

Edward B. Geller, Esq., P.C.

Of Counsel to M. Harvey Rephen & Associates, P.C.

Attorney for Plaintiff

15 Landing Way

Bronx, New York 10464

Tel:(914)473-6783

Note the law provides that:

- a) If this summons is served by its delivery to you personally within the City of New York, State of New York, you must appear and answer within TWENTY DAYS after such service; or
- b) If this summons is served by its delivery to any person other than you personally, or is served outside the City of New York, State of New York, or by publication, or by any means other than personal delivery to you within the City of New York, State of New York, you are allowed THIRTY DAYS after the proof of service thereof is filed with the Clerk of this Court within which to appear and answer.

CIVIL COURT OF THE CITY OF NEW YORK
KINGS COUNTY

-----X
NAFIZ CHOWDHURY,

Index No.:

Plaintiff,

-against-

COMPLAINT

Plaintiff,

RADIUS GLOBAL SOLUTIONS

Defendant(s).
-----X

Plaintiff, NAFIZ CHOWDHURY("Plaintiff"), by and through his attorneys, M. Harvey Rephen & Associates, P.C., by Edward B. Geller, Esq., P.C., Of Counsel, as and for his Complaint against the Defendant(s), RADIUS GLOBAL SOLUTIONS, (hereinafter referred to as "Defendant(s)"), respectfully sets forth, complains and alleges, upon information and belief, the following:

INTRODUCTION/PRELIMINARY STATEMENT

1. Plaintiff brings this action on his own behalf for damages and declaratory and injunctive relief arising from the Defendant's violation(s) of §1692 et seq. of Title 15 of the United States Code, commonly referred to as the Fair Debt Collections Practices Act ("FDCPA").

PARTIES

2. Plaintiff NAFIZ CHOWDHURY is a resident of the State of NEW YORK, residing at 280 CLEVELAND STREET, BROOKLYN, NY 11208.

3. Defendant RADIUS GLOBAL SOLUTIONS is company engaged in the

business of debt collecting with an address at 50 WEST SKIPPACK PIKE AMBER, PA 19022.

4. Plaintiff is a "consumer" as the phrase is defined and used in the FDCPA under 15 USC §1692a (3).

5. The Defendant is a "debt collector" as the phrase is defined and used in the FDCPA under 15 USC §1692a (6).

FACTUAL ALLEGATIONS

6. Plaintiff repeats, reiterates and incorporates the allegations contained in paragraphs numbered "1" through "5" herein with the same force and effect as if the same were set forth at length herein.

7. Upon information and belief, Defendant, on behalf of a third-party, began efforts to collect an alleged consumer debt from the Plaintiff.

8. Upon information and belief, and better known to the Defendant, the Defendant began its collection efforts and campaign of communications with the Plaintiff by reporting an account in Plaintiff's name to national credit bureaus.

9. On or about March 14, 2019 the Plaintiff called the Defendant and was connected with a female representative. The Plaintiff informed the representative that he noticed something on his credit report being reported by Defendant and does not know what it is.

10. The representative asked if the credit report stated the name of the original creditor and the Plaintiff gave her the information.

11. The representative stated that she was able to locate the account and stated that she can give him the Radius account number associated with the account.

12. The Plaintiff asked that since Defendant does not have the account can they please take it off his credit report.

13. The representative cleared up the misunderstanding the Plaintiff had and then transferred him over to the correct department. Another female representative picked up the phone and explained to the Plaintiff that they have a balance of \$ 89.90 and asked how she could help.

14. The plaintiff stated he already paid the account and asked if he can have the account marked as disputed.

15. The representative asked the Plaintiff when he had paid the account.

16. The Plaintiff said he did not know since it had been a long time ago.

17. The representative informed the Plaintiff that the account was placed with Defendant in October, the balance was showing as due and owing, and that she would need a receipt or some documentation showing that the account was paid.

18. The Plaintiff stated that he did not have anything like that and asked if she could dispute the account with her.

19. The representative said no, not at this point, not without a receipt.

20. The Plaintiff said thank you and the call was then concluded.

FIRST CAUSE OF ACTION
(Violations of the FDCPA)

21. Plaintiff repeats, reiterates and incorporates the allegations contained in paragraphs numbered "1" through "20" herein with the same force and effect as if the same were set forth at length herein.

22. 15 USC §1692 e – preface and e (10) of the F.D.C.P.A. prohibit the use of any false, deceptive or misleading representations in connection with the collection of a debt.

23. Defendant violated 15 USC §1692 e – preface and e (10) on March 14, 2019 when its agent refused to take Plaintiff's dispute over the phone and stated that unless the Plaintiff had proof that he paid his account she would not be able to take his dispute. This is deceptive, false and misleading as there is no such requirement that proof must be submitted in order to place a dispute under FDCPA law.

24. 15 USC §1692 f – preface prohibits a debt collector from using any unfair or unconscionable means in connection with the collection of a debt.

25. The Defendant violated 15 USC §1692 f preface on March 14, 2019 when its agent refused to take Plaintiff's dispute over the phone and stated that unless the Plaintiff had proof that he paid his account she would not be able to take his dispute. This is unfair as there is no such requirement that proof must be submitted in order to place a dispute under FDCPA law.

26. As a result of Defendant's violations of the FDCPA, the Plaintiff has been damaged and is entitled to damages in accordance with the FDCPA.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment from the Defendant as follows:

- A. For actual damages provided and pursuant to 15 USC §1692k (a) (1) in the amount of \$15,000.00;
- B. For statutory damages provided and pursuant to 15 USC §1692(2)(A);
- C. For statutory damages provided and pursuant to 15 USC §1692k(2)(B);
- D. For attorneys' fees and costs provided and pursuant

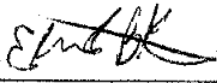
to 15 USC § 1692(a)(3);

E. A declaration that the Defendant's practices violated the FDCPA;

F. For any such other and further relief, as well as further costs, expenses and disbursements of this action, as this Court may deem just and proper.

Dated: New York, New York
October 22, 2019

Respectfully submitted,

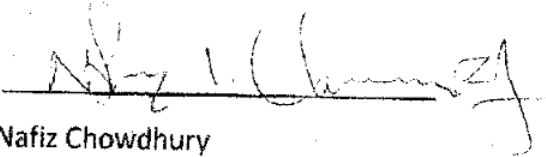
By: 
Edward B. Geller, Esq.
Edward B. Geller, Esq., P.C., Of Counsel to
M. HARVEY REPHEN & ASSOCIATES, P.C.
15 Landing Way
Bronx, New York 10464
Phone: (914)473-6783

Attorney for the Plaintiff NAFIZ CHOWDHURY

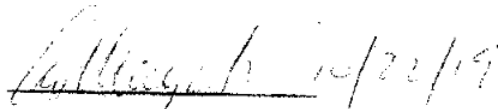
AFFIRMATION

I, Nafiz Chowdhury, under the penalty of perjury, deposes and says:

I am the Plaintiff in the above entitled action. I have read the foregoing Complaint and know the contents thereof. The same are true to my knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters I believe them to be true.


Nafiz Chowdhury

Sworn to before me this 23 day of Oct 2019


Notary Public

413 N. 7th Street
Suite 422
Phila., PA 19123

Handwritten signature or initials inside a circle.

Radius Global Solutions
50 W Skippack Pike
Ambler PA 19002